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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

VU, THANH T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/077,933	Applicant(s) NUMANO, FUJIHITO	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to Amendment, filed 09/15/2004.

Claims 26-54 are pending in this application. In the Amendment, claims 1-25 were cancelled, and claims 26-54 were added. This action is made Final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 32-35, 43-46, and 50-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollon Jr. (“Hollon”, U.S. Pat. No. 5, 768,164).

Per claim 32, Hollon teaches a portable information apparatus comprising:

a main display (fig. 1, display 20);

a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position (fig. 2; display 39; col. 1, lines 44-49);

a jog device which generates a plurality of types of events and display control means which displays a name of an application program to be started in response to the event generated by the jog device on the sub-display in one of a power-off state, a sleeping state, and a main display off state (figs. 2-7; col. 2, line 65 – col. 3, line 5).

Per claim 33, Hollon teaches a portable information apparatus according to claim 32, further comprising customizing means which customizes the number of application programs, and wherein the display control means displays the application programs customized by the customizing means (figs. 2-7; col. 3, lines 6-21).

Per claim 34, Hollon teaches a portable information apparatus according to claim 32, wherein when an application program of the application programs displayed on the sub-display is started by the jog device, the display control means displays information other than the name of the started application program on the sub-display (figs. 3-7; col. 3, lines 5-18).

Per claim 35, Hollon teaches a portable information apparatus according to claim 32, wherein when the application program started by the jog device has finished, the display control means displays status information on the sub-display (fig. 3-7; col. 2, line 65- col. 3, line 5).

Claims 43-46 are rejected under the same rationale as claims 32-35 respectively.

Per claim 50, Hollon teaches an information apparatus comprising:

a body (fig. 1, display 20);

a main display which can be opened and closed relative to the body (figs. 1 and 2);

a sub-display provided in the body, which is exposed regardless of an open/close state of the main display (fig. 2);

selection means which selects a predetermined function, and display control means which displays information concerning the selected predetermined function on the sub-display (figs. 3-7; col. 2, line 65- col. 3, line 21).

Per claim 51, Hollon teaches an information apparatus according to claim 50, wherein the display control means displays the information in one of a power-off state, a sleeping state and a main display off state (figs. 3-7; col. 2, line 65-col. 3, line 5).

Claims 52 and 53 are rejected under the same rationale as claims 33 and 34 respectively.

Per claim 54, Hollon teaches an information apparatus according to claim 50, wherein the selection means selects a CD reproducing function, and the display control means displays information concerning the CD (fig. 7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26, 28-31, 36-39, 41-42 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon Jr. ("Hollon", U.S. Pat. No. 5, 768,164) and Hirai et al. ("Hirai", U.S. Pat. No. 6,385,466).

Per claim 26, Hollon teaches a portable information apparatus comprising:

a main display (fig. 1, display 20);

a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position (fig. 2; display 39; col. 1, lines 44-49); and display control means (fig. 8, col. 3, lines 34-41).

Hollon does not teach detection means which detects a system abnormality of the potable information apparatus; displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means. However, Hirai teaches detection means which detects a system abnormality of the potable information apparatus; displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means (col. 1, lines 4-8; col. 1, line 66 - col. 2, line 5; col. 2, lines 40-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Hirai's teaching in the invention of Hollon because it allows the user to instantaneously ascertain information without reading characters or figures which are indicated on the display (col. 1, line 66- col. 2, line 2).

Per claim 28, Hollon teaches a portable information apparatus according to claim 26, further comprising: designation means which designates display modes of messages to be displayed on the sub-display, and wherein the display control means displays the message on the sub-display in accordance with the modes designated by the designation means (figs. 3-7; col. 3, lines 1-17 and lines 34-40).

Per claim 29, Hirai teaches a portable information apparatus according to claim 28, wherein the display modes include designation of a color of a back light of the sub-display and a command to blink the message (col. 1, lines 55-65).

Per claim 30, Hollon teaches portable information apparatus according to claim 26, further comprising means for restoring a window shown on the sub-display to the window which was shown before the message was displayed, after the message has been displayed on the sub-display (col. 3, lines 34-40; the display changes in response to application software).

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Per claim 31, Hollon teaches the information apparatus according to claim 26, further comprising display means which displays a setup window used to set at least one of a display time and contents of the message, and wherein the display control means displays the message based on a setup value set with the setup window on the display means (figs. 3 and 4; col. 3, lines 6-15).

Per claim 36, Hollon teaches a portable information apparatus according to claim 32, further comprising display control means (fig. 8, col. 3, lines 34-41).

Hollon does not teach detection means which detects a system abnormality of the potable information apparatus and displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means. However, Hirai teaches detection means which detects a system abnormality of the potable information apparatus and displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means (col. 1, lines 4-8; col. 1, line 66 - col. 2, line 5; col. 2, lines 40-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Hirai's teaching in the invention of Hollon because it allows the user to instantaneously ascertain information without reading characters or figures which are indicated on the display (col.1, line 66- col.2, line 2).

Per claim 37, Hollon teaches a portable information apparatus according to claim 32, further comprising display control means (fig. 8, col. 3, lines 34-41).

Hollon does not teach detection means which detects information to be notified to a user, wherein when the detection means detects information to be notified to a user and displaying a message indicating the detected information on the sub-display. However, Hirai teaches

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detection means which detects information to be notified to a user, wherein when the detection means detects information to be notified to a user and displaying a message indicating the detected information on the sub-display (col. 1, lines 4-8; col. 1, line 66 - col. 2, line 5; col. 2, lines 40-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Hirai's teaching in the invention of Hollon because it allows the user to instantaneously ascertain information without reading characters or figures which are indicated on the display (col. 1, line 66- col. 2, line 2).

Per claim 38, Hollon teaches a portable information apparatus according to claim 37, further comprising means for restoring a window shown on the sub-display to the window which was shown before the message was displayed, after the message is displayed on the sub-display (figs. 3-7; col. 3, lines 5-18).

Claims 39, and 41-42 are rejected under the same rationale as claims 26, 28, and 30 respectively.

Claim 47 is rejected under the same rationale as claim 36.

Claims 27 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon Jr. ("Hollon", U.S. Pat. No. 5, 768,164), Hirai et al. ("Hirai", U.S. Pat. No. 6,385,466), and Priddy (U.S. Pat. No. 6,286,109).

Per claim 27, Hollon and Hirai teach a portable information apparatus according to claim 26, wherein the detection means detects an abnormal state of an application program run by the portable information apparatus (fig. 6; col. 3, lines 6-18), but do not teach the detection means

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detects a low battery state and temperature abnormality of the portable information apparatus.

However, Pridy teaches the detection means detects a low battery state and temperature abnormality of the portable information apparatus (col. 1, lines 42-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Pridy's teaching in the invention of Hollon and Hirai in order to reduce heat generation in a portable device and provide more computation power to the user.

Claim 40 is rejected under the same rationale as claim 27.

Claims 48-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon Jr. ("Hollon", U.S. Pat. No. 5, 768,164.), and Nishiyama et al. ("Nishiyama" U.S. Pat. No. 5,710,576).

Per claim 48, Hollon teaches a portable information apparatus comprising: a main display (fig. 1, display 20); a sub-display provided at a position where the sub-display is externally visible when the main display is in a closed position (fig. 2; display 39; col. 1, lines 44-49), and a detection means which detects a system abnormality of the portable information apparatus (fig. 6, col. 3, lines 14-16; reports current status of portable computer).

Hollon does not teach open/close state detection means which detects an open/close state of the main display, and display control means which displays a message indicating the detected system abnormality on the sub-display when the open/close state detection means detects that the main display is in a closed state, and which displays a message indicating the detected system abnormality on the main display when the open/close state detection means detects that the main display is in an open state, wherein when the message is displayed on the main display, the

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display control means opens a new window to display the message, and when the message is displayed on the sub-display, the display control means displays the message instead of the information which is already displayed on the sub- display. However, Nishiyama teaches open/close state detection means which detects an open/close state of the main display (col. 1, lines 55-65), and display control means which displays a message indicating the detected system abnormality on the sub-display when the open/close state detection means detects that the main display is in a closed state, and which displays a message indicating the detected system abnormality on the main display when the open/close state detection means detects that the main display is in an open state (col. 2, lines 1-30; col. 4, lines 63-68), wherein when the message is displayed on the main display, the display control means opens a new window to display the message (col. 2, lines 1-30; col. 4, lines 63-68), and when the message is displayed on the sub-display, the display control means displays the message instead of the information which is already displayed on the sub- display (col. 2, lines 1-30; col. 4, lines 63-68). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Nishiyama's teaching in the invention of Hollon in order to display information to the users of a portable device according to open/close state of the portable device.

Claim 49 is rejected under the same rationale as claim 48.

Response to Arguments

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that Hollon does not teach a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position.

The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, the claim recites a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position. Hollon teaches this limitation because the sub-display screen (item 29) is an independent and separate display screen from main display screen (item 20) and at a position where the sub-display is externally visible when the main display is in a closed position (see figs. 1 and 2; col. 1, lines 45-50).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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T. Vu


SY D. LUU
PRIMARY EXAMINER